

# HOUSE BILL No. 1249

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 21-14-10.

**Synopsis:** Tuition exemption for Purple Heart recipients. Provides that an Indiana resident who: (1) enters active duty service in the armed forces of the United States or the Indiana National Guard after September 10, 2001; (2) receives the Purple Heart decoration; and (3) satisfies other criteria; is exempt from tuition and fees at state educational institutions.

**Effective:** July 1, 2008.

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**Klinker**

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January 14, 2008, read first time and referred to Committee on Veterans Affairs and Public Safety.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1249

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 21-14-10 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2008]:

4 **Chapter 10. Tuition and Fee Exemption for Purple Heart**  
5 **Recipients**

6 **Sec. 1. This chapter applies to a person who:**

- 7 (1) after September 10, 2001, enters on active duty service  
8 from a permanent home address in Indiana;  
9 (2) receives an honorable discharge;  
10 (3) receives the Purple Heart decoration for service described  
11 in subdivision (1);  
12 (4) is eligible to pay the resident tuition rate at the state  
13 educational institution the person will attend as determined  
14 by the institution; and  
15 (5) possesses the requisite academic qualifications.

16 **Sec. 2. An eligible applicant is entitled to enter, remain, and**  
17 **receive instruction in a state educational institution upon the same**

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conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institution, without the payment of any educational costs for one hundred twenty-four (124) semester credit hours in the state educational institution.

Sec. 3. For purposes of this chapter, the commission for higher education, in consultation with the state student assistance commission, shall define mandatory fees that qualify as educational costs.

Sec. 4. If an eligible applicant:

- (1) is permitted to matriculate in a state educational institution;
- (2) qualifies under this chapter; and
- (3) has earned or has been awarded a cash scholarship that is paid or payable to the state educational institution, from any source;

the amount paid shall be applied to the credit of the eligible applicant in the payment of incidental expenses of the eligible applicant's attendance at the state educational institution. The balance, if the terms of the scholarship permit, must be returned to the eligible applicant.

Sec. 5. Determination of eligibility for higher education benefits authorized under this chapter is vested exclusively in the Indiana department of veterans' affairs. Any applicant for benefits under this chapter may make a written request for a determination of eligibility by the Indiana department of veterans' affairs. The director or deputy director of the Indiana department of veterans' affairs shall make a written determination of eligibility in response to each request. In determining the amount of an eligible applicant's benefit, the state student assistance commission shall consider other higher education financial assistance in conformity with this chapter.

Sec. 6. An appeal from an adverse determination under section 5 of this chapter must be made in writing to the veterans' affairs commission not more than fifteen (15) working days following the applicant's receipt of the determination. A final order must be made by a simple majority of the veterans' affairs commission not more than fifteen (15) days following receipt of the written appeal.

Sec. 7. A person who knowingly or intentionally submits a false or misleading application or other document under this chapter commits a Class A misdemeanor.

Sec. 8. The amount of the benefits under this chapter is equal to

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- 1     **one (1) of the following:**  
2         **(1) If the eligible applicant does not receive financial**  
3         **assistance specifically designated for educational costs, the**  
4         **amount determined under sections 2 through 6 of this**  
5         **chapter.**  
6         **(2) If the eligible applicant receives financial assistance**  
7         **specifically designated for educational costs:**  
8             **(A) the amount determined under sections 2 through 6 of**  
9             **this chapter; minus**  
10            **(B) the financial assistance specifically designated for**  
11            **educational costs.**

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